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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/896,699	06/29/2001	Kenneth R. Rosensteel JR.	52003207	9084

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EXAMINER

GOLD, AVI M

ART UNIT

PAPER NUMBER

2157

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/896,699	ROSENSTEEL ET AL.	
	Examiner Avi Gold	Art Unit 2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 20 December 2004.
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-22 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-22 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_

## **DETAILED ACTION**

The amendment received on December 20, 2004 has been entered and fully considered.

### ***Response to Amendment***

#### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 5, 6, 8-13, 15, 16, 18-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Lam et al., U.S. Patent No. 5,926,636.

Lam teaches the invention as claimed including methods for managing components in a heterogeneous computer system network (see abstract).

Regarding claim 1, Lam teaches a method of translating blocked data transferred from a program executing on one of a plurality of computer systems to another of the plurality of computer systems, wherein:

the plurality of computer systems comprises:

a first computer system containing a first program communicating through an API with a first interface system (col. 5, lines 3-11, Lam discloses a first computer using API with a RPC module), and

a second computer system containing a second interface system for communicating with the first interface system (col. 5, lines 16-20, Lam discloses a second computer receiving a message buffer);

the first computer system and the second computer system are heterogeneous computer systems coupled together over a communications link (col. 5, lines 7-11, Lam discloses a heterogeneous computer network);

said method comprising:

A) opening a first session from the first program via the API through the first interface system to the second interface system (col. 5, lines 3-11, lines 16-20);

B) specifying a first translation for records transmitted over the first session (col. 5, lines 35-42, Lam discloses that a message is converted);

C) blocking a first plurality of records into a first block of records (col. 6, lines 1-4, Lam discloses packed messages);

D) transmitting the first block of records over the first session from a first one of the plurality of computer systems to a second one of the plurality of computer systems (col. 6, lines 1-4, Lam discloses transferring from a first network stack to a second network stack);

E) unblocking the first block of records into the first plurality of records on the second one of the plurality of computer systems (col. 6, lines 6-8, Lam discloses packed messages converted back to the message); and

F) translating each of the first plurality of records in accordance with the translation specified in step (B) (col. 5, lines 35-42).

Regarding claim 2, Lam teaches the method in claim 1 wherein:  
the translating in step (F) is performed in the first interface system (col. 5, lines 35-42).

Regarding claim 3, Lam teaches the method in claim 1 wherein:  
the translating in step (F) is performed in the second interface system (col. 6, lines 12-19, Lam discloses converting done on a server component management application programming interface).

Regarding claim 5, Lam teaches the method in claim 1 wherein:  
each of the first plurality of records comprises a plurality of fields;  
one of the plurality of fields is an integer field; and  
the translating in step (F) for each of the first plurality of records comprises:

1) translating an integer in the one of the plurality of fields from a first integer format to a second integer format (col. 12, lines 44-49, Lam discloses a server converting a message from Little-Endian format to Big-Endian format).

Regarding claim 6, Lam teaches the method in claim 5 wherein:  
the translating in substep (1) of step (F) includes changing from a first endian format to a second endian format (col. 12, lines 44-49).

Regarding claim 8, Lam teaches the method in claim 1 wherein:  
the specifying in step (B) utilizes a file containing a record description (col. 5, lines 35-42).

Regarding claim 9, Lam teaches the method in claim 1 wherein:  
the specifying in step (B) utilizes a memory area containing a record description (col. 5, lines 47-53, Lam discloses a message in buffer memory).

Claims 10-13, 15, 16, and 18-22 do not teach or define any new limitations above claims 1-3, 5, 6, 8, and 9 and therefore are rejected for similar reasons.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 4, 7, 14, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lam further in view of Allen, U.S. Patent No. 6,658,625.

Lam teaches the invention substantially as claimed including methods for managing components in a heterogeneous computer system network (see abstract).

As to claims 4, 7, 14, and 17, Lam teaches the method and software of claims 1 and 11.

Lam fails to teach the limitation further including translating a first character format to a second character format and translating a first floating point format to a second floating point format.

However, Allen teaches a generic data converter that uses a data description to convert data (see abstract). Allen teaches the use of a floating point converted to another floating point (col. 14, lines 6-8) and the use of converting character sets (col. 16, lines 49-52).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Lam in view of Allen to translate a first character format to a second character format and translate a first floating point format to a second floating point format. One would be motivated to do so because it would allow for translation of different types of data.

### ***Response to Arguments***

5. Applicant's arguments filed December 20, 2004 have been fully considered but they are not persuasive.

Regarding the argument to claim 1, the applicant argues that the reference, Lam, does not disclose a method of translating blocked data transferred from a program. The examiner disagrees, as seen in, column 8, lines 18-32 and column 9, lines 46-55, there is more explicit explanations of message format conversion. The examiner disagrees with the argument that Lam does not disclose opening a first session from the first program via the API through the first interface system to the second interface system,

as seen in, column 7, lines 31-40, there are interface calls by a remote client through API to establish a network session. The examiner disagrees with the argument that Lam does not disclose unblocking records, as seen in, col. 6, lines 6-8, there is conversion of packed messages back to the message format, which is equivalent to unblocking. Arguments to dependent claims are covered in the response to arguments of claim 1.

6. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., messages not being equivalent to records) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

7. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the knowledge is generally available to one of ordinary skill in the art.

***Conclusion***

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No. 6,571,282 to Bowman-Amuah.

U.S. Pat. No. 6,233,619 to Narisi et al.

U.S. Pat. No. 5,596,579 to Yasrebi.

U.S. Pat. No. 5,590,281 to Stevens.

U.S. Pat. No. 6,496,871 to Jagannathan et al.

U.S. Pat. No. 6,041,344 to Bodamer et al.

U.S. Pat. No. 5,983,265 to Martino, II.

U.S. Pat. No. 6,308,178 to Chang et al.

U.S. Pat. No. 5,339,434 to Rusis.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Avi Gold whose telephone number is 571-272-4002. The examiner can normally be reached on M-F 8:00-5:30 (1st Friday Off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Avi Gold

Patent Examiner

Art Unit 2157

AMG

  
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